

### **Examiner's Amendment**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jay Sbrollini on October 20, 2008.

This listing of claims will replace all prior versions, and listings, of claims in the application:

**In the claim:**

Claim 1 (currently amended) A computer implemented method of matching an employment candidate to specific employment positions from multiple employers, comprising:

- a. for each of a plurality of available employment positions, receiving employment position data measuring a plurality of defined personality traits for suitable candidates for that employment position;
- b. storing said received employment position data;
- c. receiving individual candidate data, representative of a personality profile for said employment candidate;
- d. using a computer for comparing said individual candidate data with said employment position data to produce a list of potential employment positions for said candidate, from said employment positions, said list identifying those

of said employment positions for which defined personality traits, as reflected by said employment position data, match said individual candidate data; and

e. providing said list to said candidate;

wherein said comparing of d) includes

i) determining which numerical values for said candidate fall within a corresponding range for each employment position, said numerical values indicative of traits for said candidate,

ii) calculating a metric comparing each trait of said candidate, with a corresponding trait for each of said employment positions, and

iii) combining all of said metrics to arrive at a score indicative of said candidate's suitability for an employment position.

Claim 2 (cancelled).

Claim 3 (previously presented): The method of claim 1 further comprising, providing said candidate with a candidate questionnaire in order to determine said individual candidate data and thereby assess said personality profile.

Claim 4 (previously presented): The method of claim 3, further comprising providing an employee questionnaire to successful employees, filling each of said specific employment positions, to determine said employment position data thereby assessing said plurality of defined personality traits for said each of said plurality of employment positions.

Claim 5 (original): The method of claim 4, wherein said candidate questionnaire and said employee questionnaire are identical.

Claim 6 (original): The method of claim 1, wherein said received employment position data comprises a plurality of numerical ranges, each range indicative of a

range of values of a single personality trait of a suitable candidate for one of said employment positions.

Claim 7 (previously presented): The method of claim 6, wherein said received candidate data comprises a plurality of numerical values, each numerical value indicative of a single personality trait for said candidate.

Claim 8 (previously presented): The method of claim 7, wherein each of said plurality of ranges for each employment position, corresponds to one of said plurality of numerical values for said candidate.

Claim 9 (cancelled).

Claim 10 (cancelled).

Claim 11 (currently amended): The method of claim 1-40, wherein each metric is calculated by calculating a difference between a value for said trait of said candidate, and an average of a corresponding range for an employment position.

Claim 12 (cancelled).

Claim 13 (original): The method of claim 1, further comprising providing said candidate with an authenticator, authenticating that said candidate has obtained said list.

Claim 14 (original): The method of claim 13, wherein said authenticator comprises a document.

Claim 15 (original): The method of claim 13, wherein said list includes identifiers of each of said employers.

Claim 16 (original): The method of claim 1, further comprising:

- f. receiving employment interest data measuring a plurality of defined interests for suitable candidates for each employment position from said employers;
- g. storing said received employment interest data;
- h. receiving individual candidate interest data, representative of interests for an individual candidate;

and wherein d. further comprises comparing said individual candidate interest data with said employment interest data to produce said list.

Claim 17 (previously presented) The method of claim 1, wherein at least one of said defined plurality of defined personality traits are chosen from the list of independence; competitiveness; assertiveness; conscientiousness; convention; organization; extroversion; group orientation; outgoing; stability; poise; relaxation; and social desirability.

Claim 18 (previously presented): A computer readable medium, storing computer software that when executed on a computing device, adapts said computing device to:

- i. for each of a plurality of available employment positions, receive employment position data measuring a plurality of defined personality traits for suitable candidates for each of a plurality of employment positions from a plurality of employers;
- ii. store said received employment position data at said computing device;
- iii. receive individual candidate data, representative of a personality profile for said candidate;
- iv. compare said individual candidate data with said employment position data to produce a list of potential employment positions for said individual candidate from said employment positions, said list identifying those of said employment positions for which defined personality traits, as reflected

- by said employment position data, match said individual candidate data;  
and
- v. provide said list to said individual candidate;  
wherein the compare of iv) includes
- a) determining which numerical values for said candidate fall within a corresponding range for each employment position, said numerical values indicative of traits for said candidate,
- b) calculating a metric comparing each trait of said candidate, with a corresponding trait for each of said employment positions, and
- c) combining all of said metrics to arrive at a score indicative of said candidate's suitability for an employment position.

Claim 19 (currently amended) A computing device for interconnection with a computer network, said computing device comprising:

- a. a processor;
- b. computer memory in communication with said processor;

said computer memory storing processor readable instructions adapting said computing device to:

- i. for each of a plurality of available employment positions, receive employment position data measuring a plurality of defined personality traits for suitable candidates for each of a plurality of employment positions from a plurality of employers;
- ii. store said received employment position data at said computing device;
- iii. receive individual candidate data, representative of a personality profile for said candidate;
- iv. compare said individual candidate data with said employment position data to produce a list of potential employment positions for said individual candidate from said employment positions, said list identifying those of said employment positions for which defined personality traits, as reflected

by said employment position data, match said individual candidate data;

and

v. provide said list to said individual candidate;

wherein the compare of iv) includes

iva) determining which numerical values for said candidate fall within a corresponding range for each employment position, said numerical values indicative of traits for said candidate,

ivb) calculating a metric comparing each trait of said candidate, with a corresponding trait for each of said employment positions, and

ivc) combining all of said metrics to arrive at a score indicative of said candidate's suitability for an employment position.

Claim 20 (previously presented): The computing device of claim 19, further comprising:

c. a network interface, in communication with said processor and for interconnection with a computer network to receive said employment position data and said individual candidate data from said computer network.

Claim 21 (previously presented): The method of claim 3, wherein said questionnaire comprises a psychometric test to assess said personality profile.

Claim 22 (currently amended): A computer implemented method of matching employment seekers to available employment openings of a plurality of employers using a computing device, comprising:

for each of said employment openings storing aggregate personality profiles, reflective of desired personality traits for that employment opening;

for each of said employment openings storing identifying information for that employment opening;

administering a questionnaire to an employment seeker;

assessing a personality profile of said employment seeker based on said questionnaire said personality profile including numerical values indicative of personality traits for said employment seeker;  
using a computer for comparing said personality profile of said employment seeker to said stored aggregate personality profiles, to determine ones of said employment openings suiting said personality profile of said employment seeker, wherein said comparing of includes  
i) determining which numerical values for said employment seeker fall within a corresponding range for each of said employment openings;  
ii) calculating a metric comparing each trait of said employment seeker, with a corresponding trait for each of said employment openings, and  
iii) combining all of said metrics to arrive at a score indicative of said employment seeker's suitability for an employment position;  
identifying to said employment seeker, a list of said identifying information of said employment openings suiting said personality profile of said employment seeker based on said comparing.

Claim 23 (previously presented): The method of claim 22, wherein said questionnaire comprises a psychometric test to assess said personality profile.

Claim 24 (previously presented): The method of claim 22, wherein said aggregate personality profiles for each of said employment openings is assessed using said questionnaire.

Claim 25 (currently amended): A computer implemented method of filtering access to a database of available employment opportunities, accessible by way of a data network, said method comprising:

for each of said employment opportunities, storing an aggregate personality profile, reflective of desired personality traits for that employment opportunity, and associated information about that employment opportunity;

providing a questionnaire to an employment seeker;  
receiving responses to said questionnaire;  
assessing a personality profile of said employment seeker based on said responses, said personality profile including numerical values indicative of personality traits for said employment seeker;  
using a computer for comparing said personality profile of said employment seeker to said stored aggregate personality profiles, to determine ones of said employment opportunities stored in said database suiting said personality of said employment seeker, wherein said comparing of includes  
    i) determining which numerical values for said employment seeker fall within a corresponding range for each of said employment openings;  
    ii) calculating a metric comparing each trait of said employment seeker, with a corresponding trait for each of said employment openings, and  
    iii) combining all of said metrics to arrive at a score indicative of said employment seeker's suitability for an employment position;  
identifying to said employment seeker a list of said employment opportunities suiting said personality profile of said employment seeker, and said associated information of said employment opportunities suiting said personality profile of said employment seeker, based on said comparing.

Claim 26 (currently amended): A computer implemented method of operating an on-line database service matching employment opportunities of various employers to employment seekers, said method comprising:

for each of said employment opportunities, receiving from one of said various employers, an aggregate personality profile, reflective of desired personality traits for that employment opportunity, and associated information about that employment opportunity;  
storing said aggregate personality profile;  
providing a questionnaire to an employment seeker;  
receiving responses to said questionnaire;



assessing a personality profile of said employment seeker based on said responses, said personality profile including numerical values indicative of personality traits for said employment seeker;  
using a computer for comparing said personality profile of said employment seeker to said stored aggregate personality profiles, to determine ones of said employment openings suiting said personality profile of said employment seeker, wherein said comparing of includes  
i) determining which numerical values for said employment seeker fall within a corresponding range for each of said employment openings;  
ii) calculating a metric comparing each trait of said employment seeker, with a corresponding trait for each of said employment openings, and  
iii) combining all of said metrics to arrive at a score indicative of said employment seeker's suitability for an employment position;  
identifying to said employment seeker, a list of said employment opportunities suiting said personality profile of said employment seeker, and said associated information of said employment opportunities suiting said personality profile of said employment seeker, based on said comparing.

Claim 27 (previously presented): A computer readable medium, storing computer software that when executed on a computing device, adapts said computing device to perform the method of claim 22.

#### **Allowable Subject Matter**

3. Claims 1, 3-8, 11 and 13-27 are allowed.

#### **Reasons for Allowance**

3. The following is an examiner's statement of reasons for allowance:

The closest prior art is to McGovern et al (US Patent No. 5,978,768) in view of Wagner "Employees selection makes Ritz tradition. (Ritz-Carlton Hotel Co.'s Targeted Selection Process employment program)". The combination of McGovern and Wagner fails to teach wherein said comparing includes determining which numerical values for said candidate falls within a corresponding range for each employment position, said numerical values indicative of traits for said candidate, calculating a metric comparing each trait of said candidate, with a corresponding trait for each of said employment positions, and combining all of said metrics to arrive at a score indicative of said candidate's suitability for an employment position, as recited in independent claims 1, 18-19, 22, 25 and 26.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. David et al (Personal Characteristic of Job Applicants and Success in Screening Interviews), discloses personal characteristic of job applicants.

b. Kevin et al (Personality Variables Related ro Integrity Test Scores: The role of Conscientiousness), discloses the concept of using personality variables of test taker scores.

c. Patric et al (Identity Potentially Useful Personality Constructs For Employee Selection), discloses personality traits to job related requirements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Bayat can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571 272-1000.

/R.J/  
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Art Unit: 3624

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